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6

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 *E-FILED - 7/6/06*

11 HARRY A. CHRISTOV and IGOR SMIRNOV,

Case No.: C05 03566 RMW

12 Plaintiff,

13 v.
14 NOVELLUS SYSTEMS, INC.,
15 Defendants.
16

**STIPULATION FOR VOLUNTARY
DISMISSAL OF ACTION PURSUANT TO
FRCP RULE 41
AND ORDER**

18 WHEREAS, Plaintiff Igor Smirnov and Defendant Novellus Systems, Inc., have reached a
19 resolution of this action.

20 IT IS HEREBY STIPULATED AND AGREED by the parties signing below that, pursuant to
21 Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff Igor Smirnov dismisses his claim against
22 Defendant Novellus Systems, Inc., with prejudice.

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1 Each side shall bear their own attorneys fees and costs incurred herein.
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3 IT IS SO STIPULATED.
4

5 Dated: June 14, 2006
6

SAMUELSON, WILSON & ROE
7

8 By /s/ CHARLES R. ROE
9

10 Charles R. Roe
11 Attorneys for Plaintiff
12 IGOR SMIRNOV
13

14 Dated: June 14, 2006
15

MURPHY, PEARSON, BRADLEY & FEENEY
16

17 By /s/ BARBARA A. COTTER
18

19 Barbara A. Cotter
20 Attorneys for Defendant
21 NOVELLUS SYSTEMS, INC.
22

23 Pursuant to the Stipulation of the Parties,
24

25 IT IS SO ORDERED.
26

27 Dated: 7/6/06
28

29 _____
30 /s/ Ronald M. Whyte
31

32 _____
33 United States District Court Judge
34

35 BAC.10323292.doc
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1 CERTIFICATE OF SERVICE
23 I, Stephanie A. Thurtle, declare:
45 I am a citizen of the United States, am over the age of eighteen years, and am not a party to or
6 interested in the within entitled cause. My business address is 701 University Avenue, Suite 150,
7 Sacramento, CA 95825.
89 On June 15, 2006, I served the following document(s) on the parties in the within action:
1011 **STIPULATION FOR VOLUNTARY DISMISSAL OF ACTION
12 PURSUANT TO FRCP RULE 41**
13

14	15	XX BY MAIL: I am familiar with the business practice for collection and processing of mail. 16 The above-described document(s) will be enclosed in a sealed envelope, with first class 17 postage thereon fully prepaid, and deposited with the United States Postal Service at 18 Sacramento, CA on this date, addressed as follows: 19
20	21	BY HAND: The above-described document(s) will be placed in a sealed envelope which 22 will be hand-delivered on this same date by _____, addressed as 23 follows: 24
25	26	VIA FACSIMILE: The above-described document(s) will be transmitted via facsimile, 27 and a copy of same will be mailed, on this same date to the following: 28
29	30	VIA OVERNIGHT SERVICE: The above-described document(s) will be delivered by 31 overnight service, to the following: 32

33 Charles R. Roe
34 Samuelson, Wilson & Roe
35 210 North Fourth Street, Suite 201
36 San Jose, CA 95112
3738 Attorney For Plaintiffs
39 HARRY A. CHRISTOV AND IGOR SMIRNOV
4041 I declare under penalty of perjury under the laws of the State of California that the foregoing is
42 a true and correct statement and that this Certificate was executed on June 15, 2006.
4344 By /s/ STEPHANIE A. THURTE
45 Stephanie A. Thrtle
46